

OCT 10 2003

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
3818.02-5

In re Application Of: ALAN BRUCE MONTGOMERY

Serial No.
10/613,636

Filing Date
JULY 3, 2003

Examiner
N/A

Group Art Unit
N/A

Title: INHALABLE AZTREONAM LYSINATE FORMULATION FOR TREATMENT
AND PREVENTION OF PULMONARY BACTERIAL INFECTIONS

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

1. TRANSMITTAL LETTER;
2. INFORMATION DISCLOSURE STATEMENT;
3. PTO FORM 1449;
4. COPIES OF REFERENCES AA - UU; AND
5. POSTCARD.

in the above identified application.

- No additional fee is required.
- A check in the amount of _____ is attached.
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Signature

Dated: OCTOBER 7, 2003

HANA VERNY (REG. NO. 30,518)
PETERS, VERNY, JONES & SCHMITT LLP
385 SHERMAN AVENUE, SUITE 6
PALO ALTO, CA 94306
TELEPHONE: (650)324-1677
FACSIMILE: (650)324-1678

I certify that this document and fee is being deposited on OCT. 7, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CC:

HANA VERNY

Typed or Printed Name of Person Mailing Correspondence



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
ALAN BRUCE MONTGOMERY) Group Art Unit: N/A
Serial No.: 10/613,639) Examiner: N/A
Filed: JULY 3, 2003)
)

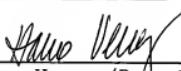
For: INHALABLE AZTREONAM LYSINATE
FORMULATION FOR TREATMENT AND
PREVENTION OF PULMONARY BACTERIAL INFECTIONS

NO FEE
Commissioner for Patents
P.O. Box 1450
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Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on October 7, 2003.



Hana Verny (Reg. No. 30,518)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.97(b)

The information disclosure statement submitted herewith is being filed within three months of the filing date of the continuation application and/or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

The citations listed on the attached PTO 1449, along with the copies of enclosed references, provide the background and may be material to the examination of the above-identified application and are, therefore, submitted in compliance with the duty of disclosure in 37 C.F.R. 1.56, 1.97 and 1.98.

Some of the references may have been disclosed in the application and provide either the background for the invention or support for practicing it. The designation of references corresponds to the designation given in the Form 1449.

Examiner is respectfully requested to move prior references from the parent case Serial No.: 10/027,113 and search results in the corresponding PCT/US01/50062, to the current pending file. New references have been added as references AA - TT, and are shown on the newly submitted PTO 1449.

This Information Disclosure Statement under 37 C.F.R. 1.56, 1.97, and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

If fees are required with the filing of these documents, the Commissioner is authorized to charge such fees to Deposit Account No. 16-1331.

Respectfully submitted,

Date: October 7, 2003



Hana Verny (Reg. No. 30,518)
Attorney of Record

PETERS, VERNY, JONES & SCHMITT, LLP
385 Sherman Avenue, Suite 6
Palo Alto, CA 94306
TEL 650 324 1677 / FAX 650 324 1678
Atty. Dkt.: 3818.02-5 (HV)

LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANTS INFORMATION DISCLOSURE
STATEMENT

OCT 10 2003

(Use several sheets if necessary)

ATTY. DOCKET NO.

3818.02-5

SERIAL NO.

10/613,639

APPLICANT: ALAN BRUCE MONTGOMERY

FILING DATE : JULY 3, 2003

GROUP N/A

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLAS S	FILING DATE IF APPROPRIATE
	AA	4	5	5	0	1	0					
BB	4	8	2	6	9	7	3	5/2/89	Anderson, et al.	540	335	December 10, 1985
CC	6	0	5	4	4	3	1	4/25/00	Horwitz, et al.	514	12	July 20, 1998
DD	4	7	7	5	6	7	0	10/4/88	Sykes, et al.	514	210	January 19, 1981
EE	4	9	4	6	8	3	8	8/7/90	Floyd, et al.	514	210	July 28, 1986
FF	4	5	5	0	1	0	5	10/29/85	Matsuo, et al.	514	210	December 3, 1981
GG	4	8	2	2	7	8	8	4/18/89	Kishimoto, et al.	514	210	December 3, 1981

DOCUMENT NUMBER

DATE

COUNTRY

CLASS

SUBCLAS S

TRANSLATION

YES

NO

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OTHER

ART (Including Author, Title, Date, Pertinent Pages, Etc.)

PP	Klaus Florey, Aztreonam, Analytical Profiles of Drug Substances, 17:1-39 (1988).											
QQ	Ajit B. Thakur, et al., Interaction of Metronidazole with Antibiotics Containing the 2-Aminothiazole Moiety, <i>Pharmaceutical Research</i> , 8/11:1424-1429 (1991).											
RR	S. A. Ranadive, et al., Formation, Isolation and Identification of Oligomers of Aztreonam, <i>European Journal of Pharmaceutical Sciences</i> , 3:281-291 (1995).											
SS	Brian E. Scully, M.B., et al., Use of Aztreonam in the Treatment of Serious Infections Due to Multiresistant Gram-Negative Organisms, Including <i>Pseudomonas aeruginosa</i> , <i>The American Journal of Medicine</i> , 78:251-261 (February 1995).											
TT	Hiram C. Polk, Jr., MD, et al., Treatment of Pneumonia in Mechanically Ventilated Trauma Patients, <i>Arch Surg</i> , 132:1086-1092 (October 1997).											
UU	Stephen P. Newman, Ph.D., Aerosol Deposition Considerations in Inhalation Therapy, <i>Chest</i> , 88:2, 152S-160S (August 1995).											
	>											

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.